

08/02/01  
JC928 U.S. PTO

08-06-01

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Approved for use through 10/31/2002, OMB 0651-0032  
Patent and Trademark office: U.S. DEPARTMENT OF COMMERCE

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<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> <small>(Only for new nonprovisional application under 37 C.F.R. § 1.53(b))</small>	Attorney Docket No. <b>E-1823 CIP</b>	
	First Inventor or Application Identifier <b>Gao, et al.</b>	
	Title <b>An Isolated Yeast Promoter Sequence And A Method Of</b>	
	Express Mail Label No. <b>EJ743858943US</b>	

JC971 U.S. PTO  
09/921944  
08/02/01

<b>APPLICATION ELEMENTS</b> See MPEP chapter 600 concerning utility patent application contents.	<b>ADDRESS TO:</b> Assistant Commissioner for Patents Box Patent Application Washington, DC 20231
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1. ☒ \*Fee Transmittal Form (e.g. PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
3. ☒ Specification [Total Pages 18 ] a. ☒ Computer Readable Form (CRF)  
(preferred arrangement set forth below)
- Descriptive title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to Microfiche Appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 7 ]
5. Oath or Declaration [Total Pages ☐
- a. ☐ Newly executed (original or copy)
- b. ☐ Copy from a prior application (37 C.F.R. § 1.63(d))
- i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76
7. ☐ CD-ROM or CD-R in duplicate, large table or Program (Appendix)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM of CD-R (2 copies); or
- ii. ☒ paper
- c. ☒ Statements verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 C.F.R. § 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122(b)(2)(B)(i).  
Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No: 09/632,314  
Prior application information: Examiner: Group/Art Unit: 1632

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**

☒ Customer Number or Bar Code Label ( 29171 ) or ☐ Correspondence address below

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Name (Print/Type)	Stephen R. May	Registration No. (Attorney/Agent)	29,255
Signature	<i>Stephen R. May</i>	Date	Aug 2, 2001

SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, and DC 20231.

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<b>FEE TRANSMITTAL</b> <b>For FY 2001</b> Patent fees are subject to annual revision.		<b>Complete if Known</b>	
Application Number		not yet assigned	
Filing Date		herewith	
First Named Inventor		Johnway Gao et al.	
Examiner Name		not yet assigned	
Group/Art Unit		not yet assigned	
Attorney Docket No.		E-1823 CIP	
<b>TOTAL AMOUNT OF PAYMENT</b>		<b>(\$)</b> 355.00	

<b>METHOD OF PAYMENT (check one)</b>		<b>FEE CALCULATION (continued)</b>																																																																																																																									
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to: Deposit Account Number: 02-1275 Deposit Account Name: Battelle Memorial Institute - PND <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17 <input checked="" type="checkbox"/> Applicant claims small entity status		3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>105 130</td> <td>205 65</td> <td>Surcharge- late filing fee or oath</td> <td></td> </tr> <tr> <td>127 50</td> <td>227 25</td> <td>Surcharge- late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>139 130</td> <td>139 130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>147 2,520</td> <td>147 2,520</td> <td>For filing a request for reexamination</td> <td></td> </tr> <tr> <td>112 920*</td> <td>112 920*</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>113 1,840*</td> <td>113 1,840*</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>115 110</td> <td>215 55</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td>116 390</td> <td>216 195</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>117 890</td> <td>217 445</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>118 1,390</td> <td>218 695</td> <td>Extension for reply within forth month</td> <td></td> </tr> <tr> <td>128 1,890</td> <td>228 945</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>119 310</td> <td>219 155</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>120 310</td> <td>220 155</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>121 270</td> <td>221 135</td> <td>Requesting for oral hearing</td> <td></td> </tr> <tr> <td>138 1,510</td> <td>138 1,510</td> <td>Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td>140 110</td> <td>240 55</td> <td>Petition to revive - unavoidable</td> <td></td> </tr> <tr> <td>141 1,240</td> <td>241 620</td> <td>Petition to revive - unintentional</td> <td></td> </tr> <tr> <td>142 1,240</td> <td>242 620</td> <td>Utility issue fee (or reissue)</td> <td></td> </tr> <tr> <td>143 440</td> <td>243 220</td> <td>Design issue fee</td> <td></td> </tr> <tr> <td>144 600</td> <td>224 300</td> <td>Plant issue fee</td> <td></td> </tr> <tr> <td>122 130</td> <td>122 130</td> <td>Petitions to the Commissioner</td> <td></td> </tr> <tr> <td>123 50</td> <td>123 50</td> <td>Petitions related to provisional applications</td> <td></td> </tr> <tr> <td>126 240</td> <td>126 240</td> <td>Submission of Information Disclosure Stmt</td> <td></td> </tr> <tr> <td>581 40</td> <td>581 40</td> <td>Recording each patent assignment per property (times number of properties)</td> <td></td> </tr> <tr> <td>146 710</td> <td>246 355</td> <td>Filing a submission after final rejection (37 CFR § 1.129(a))</td> <td></td> </tr> <tr> <td>149 710</td> <td>249 355</td> <td>For each additional invention to be examined (37 CFR § 1.129(b))</td> <td></td> </tr> <tr> <td>179 710</td> <td>279 355</td> <td>Request for Continued Examination (RCE)</td> <td></td> </tr> <tr> <td colspan="2">Other fee (specify)</td> <td colspan="2"></td> </tr> <tr> <td colspan="2">*Reduced by Basic Filing Fee Paid</td> <td colspan="2">SUBTOTAL (3) (\$)</td> </tr> </tbody> </table>		Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	105 130	205 65	Surcharge- late filing fee or oath		127 50	227 25	Surcharge- late provisional filing fee or cover sheet		139 130	139 130	Non-English specification		147 2,520	147 2,520	For filing a request for reexamination		112 920*	112 920*	Requesting publication of SIR prior to Examiner action		113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action		115 110	215 55	Extension for reply within first month		116 390	216 195	Extension for reply within second month		117 890	217 445	Extension for reply within third month		118 1,390	218 695	Extension for reply within forth month		128 1,890	228 945	Extension for reply within fifth month		119 310	219 155	Notice of Appeal		120 310	220 155	Filing a brief in support of an appeal		121 270	221 135	Requesting for oral hearing		138 1,510	138 1,510	Petition to institute a public use proceeding		140 110	240 55	Petition to revive - unavoidable		141 1,240	241 620	Petition to revive - unintentional		142 1,240	242 620	Utility issue fee (or reissue)		143 440	243 220	Design issue fee		144 600	224 300	Plant issue fee		122 130	122 130	Petitions to the Commissioner		123 50	123 50	Petitions related to provisional applications		126 240	126 240	Submission of Information Disclosure Stmt		581 40	581 40	Recording each patent assignment per property (times number of properties)		146 710	246 355	Filing a submission after final rejection (37 CFR § 1.129(a))		149 710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))		179 710	279 355	Request for Continued Examination (RCE)		Other fee (specify)				*Reduced by Basic Filing Fee Paid		SUBTOTAL (3) (\$)	
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<b>SUBMITTED BY</b> Name (Print/Type)		Registration No.		Telephone	
Stephen R. May		29,255		(509) 375-2387	
Signature		Date		Aug 2, 2001	

SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

09021944-030601

Date: August 1, 2001

Janice K. Laybourn K1-53  
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